

Town of Middleton
Board of Selectmen Meeting
March 19, 2015

Called to order at 6:30 P.M

BOS Members Present: J. Hotchkiss, J. Bailey, M. Schwarz

Pledge of Allegiance Recited

Approved By
Board of Selectmen

Signature Action:

Re-organization of the board. J. Bailey-Chair. M. Schwarz- Vice Chair.

M. Schwarz motions to approved the minutes from the 3-9-15 BOS Meeting. J. Hotchkiss seconds, all in favor.

Abatement dispositions read and signed.

Discussion on the taxes that are on the telephone poles in town.

Zoll purchase order discussed. BOS will sign once all the information is supplied by the Fire Chief.

Old Business

Oil burner installation form; discussion on who will handle the inspections; Fire Chief or Code Enforcement Officer. Fee for this inspection will be \$25.00. Code Enforcement Officer will complete the inspections. All in favor of fee rate.

New Business

Ken Garry answered questions regarding the bidding process. He received an email from CCI with questions from the board. M. Schwarz questioned the end date for the bids. K. Garry submitted the Proposal that went out for bids with an end date of February 2nd. M. Schwarz read from the Middleton School Board minutes where it states the end date was the 30th of January. J. Bailey spoke about how there were concerns brought to the board in regards to how and when bids were received for the school project and how some were received after the deadline. J. Bailey sent an email to CCI requesting the answers and had not received a response. K. Garry spoke that it was not a sealed bid process. K. Garry believes the bid was extended due to the snow storm Linus. CCI handled all the bids received. Question if any of the bids divulged prior to the bid openings. K. Garry would say no since the bids weren't open. No board members were present during the bid openings; these were handled by the construction manager. K. Garry was contacted by CCI directly questioning that the BOS told a local construction manager that they didn't need to pull a bond. The BOS did not inform any local manager of the requirements. The BOS has nothing to do with the bid process for the school. On March 11 the school Board had a non-public meeting with the architect who provided a summary of the bids. A construction manager was hired on a tight budget. Once all bids are in, the manager will then go into a negotiating process. The Construction Manager was able to reduce some cost by negotiating. K. Garry says the board questioning the process is jeopardizing the project. M. Schwarz questions if that is a bribe? J. Hotchkiss clarifies that CCI is stating the board is jeopardizing the project. K. Garry states that if someone has an issue with the project then they should be referred to the SAU office. J. Bailey stated the reason the inquiries were sent to CCI was because they are the ones handling all bids. Any and all questions regarding the school project shall be referred to Shane the Superintendent. K. Garry discussed the communication path. Construction Manager doesn't necessarily choose the lowest bidder. They just need to stay in the guaranteed price. J. Bailey states how the BOS does not want to be involved. Question on the legal issues with the bids, any concerns with the legal issues need to be brought to the superintendent, not the BOS. There was a complaint filed with the Attorney General's Office, Theriault states that he would like nothing done on the project until the AG does their investigation. He stated that the AG office cannot start the investigation until they can get the minutes from the school board meeting that were sealed for 60 days. K. Garry read allowed the proposal amounts from the 10 submitted.

Issues with, Ambrose logging on the Town property on Piper Mountain Road. Ambrose's bid included logging the Piper Mountain Road property. J. Bailey asked if the Town does not use Ambrose will that affect the project. K. Garry did not know. BOS would like to bring in revenue with the logging to offset other cost. BOS will not hold up the school project getting the logger. P. Frazier stated that those

locations are town property, so the town will need to initiate the intent to cut. J. Hotchkiss asked that if the BOS do not use Ambrose, will it change the cost for the school. K. Garry stated either way it will not hold up the project.

D. O'Toole brought forth the fact that the Fire Department vehicles have not been registered. She has emailed twice with no response. She does not want to see them go unregistered. They will expire March 31. J. Hotchkiss asked if she was sure the emails went through. She said they were not sent back and there were no error messages.

D. O'Toole asked about an alert system that a resident could use. She would like to know if the Welfare Department would fund it. It cost \$130.00. T. Brown stated that if Welfare would not support this item that Deb could submit a letter to the Police Association and possibly they would fund the item. Deb will submit to Welfare.

J. Coskie asked T. Brown about a cell phone program where you turned in old cell phones. T. Brown will look into this and get back to Coskie.

Public Participation

J. Kalar asked what year the Town had the 10% issue. Believe to be 2012. There was a comment made at Town Meeting that the Fire Department being an on-call department. This has never been request from the Town. Only EMS requested this in 2009. For the Fire to be an On-Call department it has to be a warrant article. So Fire is not on-call department. T. Brown believes that the BOS has the authority to change the structure of the fire department. J. Kalar believes that the Fire Department should follow the same procedure that the EMS followed.

T. Brown suggested the School Board release the minutes that were sealed to the AG Office so they can complete any investigation.

T. Brown also suggested more communication with Police and Fire with the school project. He suggests a committee to address any concerns departments have. Currently T. Brown sees issues with safety and the new building and feels addressing these issues now will be beneficial for all.

K. Garry stated that opening the minutes is a board action, not his alone. So it would have to be brought up at a school board meeting. The plans that were submitted to the Board of Selectmen are for all departments to utilize. Next school board meeting is 3/26. K. Garry spoke about the new schedule of two school board meetings a month.

J. Bailey motions to take a recess @ 7:58PM. M. Schwarz seconds, all in favor.

Respectfully submitted by:

Laura Parker, BOS Secretary